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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BENJAMIN SALZANO, individually and on	:	Case Number: 13-CV-5600 (LGS)
behalf of all other persons similarly situated,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	<u>NOTICE OF MOTION TO DISMISS THE COMPLAINT OR, IN THE ALTERNATIVE, STAY THE ACTION PENDING ARBITRATION</u>
LACE ENTERTAINMENT INC. and GLEN	:	
ORECCHIO, jointly and severally,	:	
	:	
Defendants.	:	
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PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint or, in the Alternative, Stay the Action Pending Arbitration, Declaration of Howard Davis and Declaration of Ellen Ettz, defendants, Lace Entertainment Inc. and Glen Orecchio, by and through their undersigned counsel will move, at a date, time and location to be determined by the Court, for an order, pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure ("FRCP") and pursuant to §§ 2, 3 and 4 of the Federal Arbitration Act (the "FAA") (1) dismissing plaintiff Benjamin Salzano's causes of action set forth in his Complaint in its entirety with prejudice and to compel arbitration, or, in the alternative, (2) to stay this action pending the result of compulsory arbitration, pursuant to §§ 2, 3 and 4 of the FAA.

Dated: New York, New York
November 11, 2013

MEISTER SEELIG & FEIN LLP

/s/ Jeffrey A. Kimmel

By: Jeffrey A. Kimmel

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